

### **REMARKS**

Claims 1-48 are currently pending in the subject application and are presently under consideration. Claims 1, 14, 21, 28, 35, 39 and 40 have been amended as shown on pp. 2-10 of the Reply. Claims 20, 22-23, 25, 29, 32, 36 and 38 have been canceled.

Applicants' representative thanks the Examiner for the courtesies extended during the teleconference of June 28, 2006 wherein the substance of the interview is as follows: Applicants' representative discussed adding the limitation "prompt counter" (See Specification, pg. 13) to the claims in order to distinguish the applicants' claimed invention from the prior art of record. Examiner Nahar agreed that upon receiving this formal Reply, further search and consideration will be given to the added limitation.

Favorable reconsideration of the subject patent application is respectfully requested in view of the comments and amendments herein.

#### **I. Rejection of Claims 1-40, 42 and 45-48 Under 35 U.S.C. §103(a)**

Claims 1-40, 42 and 45-48 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Jones *et al.* (US Patent 5,666,501) in view of Curtis (US Patent 6,374,401). Reversal of this rejection is requested for at least the following reasons. Jones *et al.* and Curtis, individually or in combination, do not teach or suggest each and every element set forth in the subject claims.

To reject claims in an application under §103, an examiner must show an un rebutted *prima facie* case of obviousness. A *prima facie* case of obviousness is established by a showing of three basic criteria. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. See MPEP §706.02(j). The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based on applicants' disclosure. See *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

The claimed invention relates to a software tool and methodology for installing a software component or an operating system on a server computer system or computer network. In particular, independent claims 1, 14, 21, 28, 35, 39 and 40 recite similar limitations, namely a

*user interface component that renders a plurality of setup prompts to a user and obtains a user command; a setup component that senses an attribute of a registry of the server computer system, which attribute is associated with a low functionality suite package and a higher functionality suite package, the setup component selectively provides at least one of a standard setup prompt, an additional setup prompt and a substitute setup prompt, and selectively suppresses at least one setup prompt according to the attribute, and selectively installs the software component on the computer system according to the user command; and a prompt counter that tracks the number of setup prompts provided to a user until a maximum prompt value has been exceeded, once the maximum prompt value has been reached, a setup operation is performed according to the setup parameters obtained from the setup prompts.* Jones, *et al.* and Curtis, individually or in combination, do not disclose or suggest these novel aspects of applicants' claimed invention.

Jones, *et al.* relates to a method for installing software from a second machine to a first machine in a distributed network. A graphical user interface (GUI) provides numerous selectable options that enable a user to manually select the software from various source media (local and/or remote) and to manually choose from software bundles of a selected source media. All or part of the software of a selected bundle can also be manually chosen by the user for install. Jones, *et al.*, at col. 2, lines 7-12, provides that if a software bundle of objects is selected, the method disclosed by the cited document proceeds to install an intersection of the software items of the source object and the software items of the selected bundle object. Col. 3, lines 28-37, further provides that each bundle of software can contain a list of software items embodied as a subset of the selected source object and additionally, that each software bundle can contain installable software items located on separate source objects. Consequently, according to the cited passage, depending on whether all the software items listed in a bundle are available in the particular source object, a given bundle can be either a subset or a superset of that particular source object.

It would appear that the cited reference merely provides a GUI that presents numerous options that must be selected by the user for loading software from the remote computer to the local computer. Once the user selects only one source object (FIG. 2, panel 210), the GUI presents the software bundles associated with the source object. Thereafter, the GUI can then present the software files in that bundle (FIG. 2, panel 240). The user can scroll through the list

of files provided in panel 240 and select files for installation. Thus, Jones *et al.* teaches that the user must manually make software and/or file selections from a plurality of presented options in order for the installation to occur.

Whereas, the software tool of applicants' claimed invention queries or senses the value of a registry key and selectively modifies the installation according to the sensed attribute. Based on the value of the registry key, one or more setup screens or prompts may be selectively rendered or suppressed from being rendered to the user *via* an interface. In this way, the user is presented with an automated logical setup prompt flow tailored to the specific system in which the setup is occurring. Thus, where an operating system or other program is being installed in a system having an application suite which renders one or more of the operating system setup choices inapplicable or otherwise invalid, the software tool can easily sense an attribute, such as a registry key, indicating the installed application suite package, and customize the operating system installation prompting accordingly. Accordingly, Jones, *et al.* does not disclose or suggest ***a setup component that senses an attribute of a registry of the server computer system, wherein the setup component selectively provides at least one of a standard setup prompt, an additional setup prompt and a substitute setup prompt, and selectively suppresses a setup prompt according to the attribute....***, as recited in the independent claims.

Furthermore, Curtis does not cure the deficiencies of Jones *et al.* with respect to claims 1, 14, 21, 28, 35, 39 and 40. Curtis relates to a program for updating registry objects with a cross-platform installation program. The registry object and installation program are operating system specific. During execution of the program, a call is made to a cross-platform installation program. The cross-platform installation program is capable of installing the computer program on different operating system platforms. The cross-platform installation program installs the installed components for the computer program on the computer system. The cross-platform installation program further makes a call to an operating system interface program specific to the operating system on which the computer program is being installed. Execution of this operating system interface program updates at least one field in the registry object with information on the installed components of the computer program being installed. Typically, the registry object is a product registry database including information on installed files. The operating system product registry database is updated by making a call to a native operating system command to update

files in the product registry database with information on the installed components. (See col. 4, lines 10-29).

In contrast, applicants' claimed invention discloses a software tool that queries or senses the value of a registry key and selectively modifies the installation according to the sensed attribute. Specifically, a registry key is sensed (*e.g.*, *via* direct query or API), and a prompt counter is set initialized to 1. A current prompt is rendered to a user interface, after which one or more user selected parameters or parameter values are obtained from the user interface. A determination is made as to whether or not the registry key indicates that special prompting is required or appropriate. If not, the prompt counter is incremented and compared with a prompt maximum value.

If, however, the registry key indicates special prompting, one or more additional prompts may be rendered to the user interface, and one or more additional setup parameters may be obtained therefrom. The invention thus provides for selectively suppressing of at least one setup prompt from the user interface component if the attribute indicates the at least one setup prompt is unnecessary, and/or rendering at least one additional setup prompt to the user interface according to the attribute (*e.g.*, the sensed registry key) until the maximum prompt value has been exceeded. Once the maximum prompt value has been exceeded, one or more setup operations (*e.g.*, installing and/or upgrading one or more software components in a computer system) are performed according to the setup parameters (*e.g.*, one or more of which may have been determined or otherwise selected according to the attribute or registry key). (See pg. 13, lines 13-25).

Curtis merely discloses a program that updates the operating system registry object when installation is performed just as it would have been if installed using the native operating system installation command. Accordingly, Curtis does not disclose or suggest *a setup component that senses an attribute of a registry of the server computer system, wherein the setup component selectively provides at least one of a standard setup prompt, an additional setup prompt and a substitute setup prompt, and selectively suppresses a setup prompt according to the attribute...; and a prompt counter that tracks the number of setup prompts provided to a user until a maximum prompt value has been exceeded, ..., as claimed.*

In view of at least the foregoing, it is readily apparent that Jones, *et al.* and Curtis do not teach or suggest the subject invention as recited in claims 1, 14, 21, 28, 35, 39 and 40 (and

claims 2-13, 15-20, 22-27, 29-34, 36-38, 42 and 45-48 which respectively depend there from). Accordingly, this rejection should be reversed.

**II. Rejection of Claims 41, 43 and 44 Under 35 U.S.C. §103(a)**

Claims 41, 43 and 44 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Jones *et al.* (US Patent 5,666,501) in view of Curtis (US Patent 6,374,401), and further in view of Kenner *et al.* (US Patent 6,314,565). This rejection should be withdrawn for at least the following reasons. Claims 41, 43 and 44 depend from independent claim 40; and the cited references (alone or in combination) do not teach or suggest applicants' claimed invention. In particular, Kenner, *et al.* fails to make up for the aforementioned deficiencies of Jones, *et al.* and Curtis with respect to independent claim 40. Accordingly, this rejection should be withdrawn.

**CONCLUSION**

The present application is believed to be in condition for allowance in view of the above comments and amendments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063 [MSFTP169US].

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicants' undersigned representative at the telephone number below.

Respectfully submitted,

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